THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.22802 OF 2005

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Dated: 12-12-2005

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Between

D.V.S.S. Rama Raju, S/o. D. Suryanarayana Raju, Occ: Writer & Press Reporter Ubhaya Godavari Weekly, R/o. Opp: Eye Hospital, Subba Reddy Colony, Jangareddy Gudem, West Godavari District.

...PETITIONER

AND

The Superintendent of Police, Eluru, West Godavari District and others.

...RESPONDENTS

ORDER:

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Petitioner seeks a Writ of Mandamus to declare the action of the respondents 1 to 3 in not providing police protection to him from the hands of the respondents 4 to 7 as illegal and arbitrary.

Learned counsel for the petitioner submits that the petitioner seeks police protection on the ground that certain antisocial elements made enquiries about him and he apprehends danger to his life. Accordingly, the petitioner filed a report before the official respondents on 21.09.2004 requesting them to provide protection to him and his family by taking necessary action against the unofficial respondents.

Counter has been filed by the respondents 1 to 3 stating that the report of the petitioner dated 21.09.2004 apprehending danger to his life was considered in accordance with law

and enquiry has been conducted. During the enquiry it is revealed that one late Katari Lakshmi Narayan Raju, the father of the fourth respondent borrowed a sum of Rs.50,000/- @ Rs.2/- interest per annum during the year 1998 from the petitioner by executing three pronotes in favour of the petitioner. When the petitioner insisted upon the payment of the said amount the father of the fourth respondent entered into an agreement with a specific understanding that he would discharge the total debt within one year and also executed an agreement to an extent of Ac.2.68 cents land in favour of petitioner's son-in-law on a non-judicial stamp paper worth Rs.100/- on 20.08.1993. Further, the fourth respondent's father expired in the year 2002 and thereupon the petitioner filed civil suit on the file of the II Additional Judicial First Class Magistrate for recovery of debts against the unofficial respondents, who are the legal heirs to late Katari Lakshmi Narayana Raju and the said suit is still pending. During the course of the enquiry the respondents 4 and 5 gave statements that they are not at all interfering with life of the petitioner and respondents 6 and 7 are not available since they are residing in some other place.

Having regard to the facts and circumstances of the case and the denial of the allegations of the petitioner by the unofficial respondents, this Court is of the opinion that, if there is any real threat to the petitioner and his family it is always open for him to bring the said fact to the notice of the respondents 1 to 3 and if any fresh report is filed by the petitioner, the respondents 1 to 3 may consider the same and take appropriate action in accordance with law.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

December 12, 2005

DSK